

PROB 12C
(7.93)

Report Date: January 20, 2011

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**JAN 20 2011**JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Timothy J. Daugherty

Case Number: 2:07CR00081-001

Address of Offender: [REDACTED] Spokane, WA 99206

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 12/17/2007

Original Offense: Uttering Fictitious Securities of Private Entities, 18 U.S.C. § 514(a)(2)

Original Sentence: Prison - 40 Months;
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Stephanie J. Lister

Date Supervision Commenced: 03/26/2010

Defense Attorney: John Barto McEntire, IV

Date Supervision Expires: 03/25/2013

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition # 6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: Mr. Daugherty is considered in violation of his conditions of supervised release by failing to report a change of address since January 10, 2011.

On January 10, 2011, Mr. Daugherty left a voice mail message with the undersigned officer that he was leaving his last reported address due to problems with his roommates. However, Mr. Daugherty failed to provide a new address where he would be residing. At this time, his whereabouts are unknown.

- 2 **Special Condition # 20:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: Mr. Daugherty is considered in violation of his conditions of supervised release by using a controlled substance, methamphetamine, on or about January 5, 2011.

On January 5, 2011, Mr. Daugherty reported to the probation office and provided a urinalysis sample. The sample tested presumptively positive for methamphetamine and Mr. Daugherty denied any use of methamphetamine.

On January 19, 2011, the undersigned officer received the laboratory report for sample submitted on January 5, 2011. The report confirmed the presence of methamphetamine in the sample submitted by Mr. Daugherty.

- 3 **Special Condition # 23:** You shall reside in a residential reentry center (RRC) for a period up to 180 days. Your participation in the programs offered by the RRC is limited to employment, education, treatment, and religious services at the direction of your supervising officer. You shall abide by the rules and requirements of the facility.

Supporting Evidence: Mr. Daugherty is considered in violation of his conditions of supervised release by failing to follow the rules and requirements of the residential reentry center (RRC) since December 22, 2010.

On December 22, 2010, the undersigned officer was contact by RRC Director Lori Morrow, who advised Mr. Daugherty was being removed from the program for failing to attend a required medical physical. Mr. Daugherty was advised of the date and time of the physical by RRC staff but, failed to attend the scheduled appointment. Per Bureau of Prisons policy, every resident of the RRC must have a medical physical during their stay at the facility.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 20, 2011

s/Samuel Najera

Samuel Najera
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

Fred Van Dille

Signature of Judicial Officer

January 20, 2011

Date